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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/701,062	11/05/2003	Amir Mikel Rahbar	108172-00103

004372

ARENT FOX KINTNER PLOTKIN & KAHN  
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WASHINGTON, DC 20036



CONFIRMATION NO. 6293

## FORMALITIES LETTER



\*OC000000011948920\*

Date Mailed: 02/23/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 385 to complete the basic filing fee for a small entity.*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:Total additional fee(s) required for this application is **\$450** for a Small Entity

- |  |                                       |           |
|--|---------------------------------------|-----------|
| • \$385 Statutory basic filing fee.        | 07/26/2004 YPOLITE1 00000005 10701062 |           |
| • \$65 Late oath or declaration Surcharge. | 01 FC:2001                            | 385.00 DP |
|  | 02 FC:2051                            | 65.00 DP  |

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
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*A copy of this notice MUST be returned with the reply.*



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Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY



**PATENT APPLICATION**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

RAHBAR et al.

Group Art Unit: 1631

Application No.: 10/701,062

Examiner: Unknown

Filed: November 5, 2003

Attorney Dkt. No.: 108172-00103

For: GENETIC MARKERS WHICH IDENTIFY INDIVIDUALS WHO IMPROVE THEIR  
CHOLESTEROL LEVELS AND DIABETES STATUS WITH EXERCISE

**RESPONSE TO NOTICE TO FILE MISSING PARTS**

**Mail Stop Missing Parts**

Director for the U.S. PTO

P.O. Box 1450

Alexandria, VA 22313-1450

Date: July 23, 2004

Sir:

In response to the Notice to File Missing Parts of Application dated February 23,  
2004 (copy attached), the following are enclosed:

- ☒ \$65.00 as payment of the surcharge for the Notice to File Missing Parts;
- ☒ \$385.00 as payment for the filing fee;
- ☒ \$475.00 as payment for a three month extension of time;
- ☒ Originally-executed Declaration/Power of Attorney;
- ☐ Originally-executed Verified Statement Claiming Small Entity Status;
- ☐ Verified Translation of the Application [with a Preliminary Amendment]; and
- ☐ An Information Disclosure Statement with Form PTO-1449, \_\_\_\_\_ refs. [and  
a search report];

☐ A Claim for Priority with a certified copy of \_\_\_\_\_ Application No. \_\_\_\_\_ filed \_\_\_\_\_;

☒ Originally executed Assignment with Form PTO-1595 and attached check for \$40.00 as payment for the recordation of the Assignment.

The Examiner is respectfully requested to acknowledge that all of the requirements of 35 U.S.C. §111 have been met.

Please find attached a check in the amount of \$965.00 to cover the Notice to File Missing Parts surcharge and the Filing Fee described above. Please charge any fee deficiency or credit any overpayment to Deposit Account No. 01-2300, referencing attorney docket number 108172-00103.

Respectfully submitted,



Robert K. Carpenter  
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RKC/tdd